



#5
AR&E Docket No. 65959/7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : H.S. van Damme, et al.

Serial No. : 09/997,213

Filed : November 27, 2001

For : DEVICE FOR PERFORMING AN ASSAY, A METHOD FOR
: MANUFACTURING SAID DEVICE, AND USE OF A MEMBRANE
: IN THE MANUFACTURE OF SAID DEVICE

Examiner : Unknown

Group Art Unit : Unknown

"Express Mail" mailing label No. EV 034639702 US

Date of Deposit: April 12, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Elie H. Gendloff

Signature: [Signature]

REPLY TO NOTICE TO FILE MISSING PARTS OF A NONPROVISIONAL APPLICATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

This Reply is to the Notice to File Missing Parts of a Nonprovisional Application dated December 13, 2001 in the above-named case. Applicant also applies for a two month extension of time for filing this Reply. With that two month extension, this Reply is due on April 13, 2002. Therefore, this Reply is timely filed.

Oath/Declaration

Enclosed herewith is a Declaration in compliance with 37 CFR 1.63.

Small Entity Status

Applicants assert that this application is owned by PamGene B.V., which qualifies as a small entity. The Assignment to PamGene has been executed and will be filed with the USPTO for recordation forthwith.

04/17/2002 NNDHAMM1 00000032 09997213

04 FC:216

200.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/997,213	11/27/2001	Henrik Sibolt van Damme	65959/7



CONFIRMATION NO. 4072

FORMALITIES LETTER

OC000000007189850

Elie H. Gendloff, Ph.D., Esq.
AMSTER, ROTHSTEIN & EBENSTEIN
90 Park Avenue
New York, NY 10016

Date Mailed: 12/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$432.
 ■ \$432 for 24 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1302.

04/17/2002 HNOHAMM1 00000032 09997213

01 FC:201	370.00 OP
02 FC:203	18.00 OP
03 FC:205	65.00 OP

A copy of this notice MUST be returned with the reply.

R.B.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 05/07/2002 VTRUONG1
04/17/2002 HNOHAMM1 00000032 09997213
02 FC:203 -18.00 OP

05/07/2002 VTRUONG1 00000022 09997213
01 FC:203 9.00 OP
02 FC:998 9.00 OP

4-15-02 09 997 213 mpd #4

AMSTER, ROTHSTEIN & EBENSTEIN

MORTON AMSTER
JESSE ROTHSTEIN (RETIRED)
DANIEL S. EBENSTEIN
PHILIP H. GOTTFRIED
MICHAEL J. BERGER
NEIL M. ZIPKIN
ANTHONY F. LO CICERO
KENNETH P. GEORGE
ABRAHAM KASDAN, Ph.D.
IRA E. SILFIN
CHESTER ROTHSTEIN
CRAIG J. ARNOLD

SENIOR COUNSEL
CHARLES R. MACEDO
MARK J. ROSENBERG
KENNETH M. BERNSTEIN

OF COUNSEL
JERRY DAINOW



ATTORNEYS AT LAW
PATENTS • TRADEMARKS • COPYRIGHTS
90 PARK AVENUE
NEW YORK, NEW YORK 10016
TELEPHONE: (212) 697-5995
FACSIMILE: (212) 286-0854

NEAL L. ROSENBERG
DENISE A. LINDENAUER
NANCY M. DODDERIDGE
PATRICK BOLAND*
TREBOR LLOYD
JOSEPH M. CASINO
JOHN S. ECONOMOU
MICHAEL V. SOLOMITA
HOLLY PEKOWSKY
MICHAEL P. KENNEY
MARION P. METELSKI*
MONIQUE L. RIBANDO

SCOTT MCCLAVE
LISA MELANSON
MAX VERN
DANA R. METES
KARL J. KOLBINGER
BRIAN A. COMACK
RICHARD S. MANDARO
NATALIE BOGDANOS
MARC J. JASON
ELIE H. GENDLOFF, Ph.D.*
*NOT ADMITTED IN NEW YORK

April 12, 2002

via Express Mail

Commissioner for Patents
Washington, DC 20231

Box MISSING PARTS

"Express Mail" mailing label No. EV 034639702 US

Date of Deposit: April 12, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Elie H. Gendloff

Signature: [Signature]

Re: U.S. Patent Application Serial No. 09/997,213
Title: **DEVICE FOR PERFORMING AN ASSAY, A METHOD OF MANUFACTURING SAID DEVICE, AND USE OF A MEMBRANE IN THE MANUFACTURE OF SAID DEVICE**
Inventors: **Hendrik Sibolt van Damme, Hermanus Johannes Maria Kreuwel, Tim Kievits, Marinus Gerardus Johannus van Beuningen, and Pieter Jacob Boender**
Our File: 65959/7

Sir:

Enclosed please find the following documents for filing with the above-identified application in the names of Hendrik Sibolt van Damme, Hermanus Johannes Maria Kreuwel, Tim Kievits, Marinus Gerardus Johannus van Beuningen, and Pieter Jacob Boender, entitled **DEVICE FOR PERFORMING AN ASSAY, A METHOD OF MANUFACTURING SAID DEVICE, AND USE OF A MEMBRANE IN THE MANUFACTURE OF SAID DEVICE**:

1. a Reply to Notice to File Missing Parts of Nonprovisional Application (2 pages) and containing therein a request for a two month extension of time;
2. a copy of Part 2 of the Notice to File Missing Parts of Nonprovisional Application as required therein (1 page);
3. an executed Declaration (3 pages);
4. an Amster, Rothstein & Ebenstein check in the amount of \$653.00 to cover the utility filing fee (\$370), excess claims fee for two claims (\$18), a two month extension of time fee (\$200) and a late fee for the Declaration (\$65) for small entity status; and
5. a Return receipt postcard.

April 12, 2002

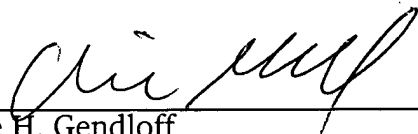
Small entity status was previously established and is still proper.

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicants
90 Park Avenue
New York, New York 10016
(212) 697-5995

Dated: New York, New York
April 12, 2002

By: 
Elie H. Gendloff
Registration No. 44,704

Applicant : H.S. van Damme, et al.
Serial No. : 09/997,213
Filed : November 27, 2001
Page 2

Amendment

Please enter the following amendment.

IN THE CLAIMS

Please cancel claims 12-17, 22-30, and 37-44.

With the above amendment, the pending claims are now 1-11, 18-21, and 31-36
(total=22, two of which are independent)

Fee Payment

Applicants believe that, with the establishment of small entity status and the above claim amendment, the following fees are due:

Basic filing fee = \$370.

Excess claim fee = \$18 for two excess claims.

Extension of time = \$200 for two months.

Late fee for Declaration = \$65.

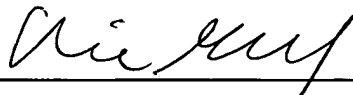
Total fee due = \$653.

Based on the above calculation, a check for \$653 is enclosed. If additional fees are required to maintain the pendency of this application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may also be credited to that deposit account.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 697-5995

Dated: New York, New York
April 12, 2002

By: 
Elie H. Gendloff
Registration No.: 44,704